

EXHIBIT 1

[« Return to search results](#)

Case Information

Case Number:	CV2025-002126	Judge:	Ryan-Touhill, Jennifer
File Date:	1/16/2025	Location:	Downtown
Case Type:	Civil		

Party Information

Party Name	Relationship	Sex	Attorney
Joseph Grace	Plaintiff	Male	Sean Woods
Jose De La Torre	Defendant	Male	J VANDEHEN

Case Documents

Filing Date	Description	Docket Date	Filing Party
4/7/2025	WSS - Waiver Of Service Of Summons	4/7/2025	
NOTE:	WAIVER OF SERVICE OF DEFENDANT JANE DOE DE LA TORRE		
4/7/2025	NAR - Notice Of Appearance	4/7/2025	
NOTE:	Notice of Appearance / EFILE BILLING \$263.00		
4/7/2025	WSS - Waiver Of Service Of Summons	4/8/2025	
NOTE:	WAIVER OF SERVICE OF DEFENDANT JOSE DE LA TORRE		
3/26/2025	322 - ME: Notice Of Intent To Dismiss	3/26/2025	
1/16/2025	COM - Complaint	1/17/2025	
NOTE:	Plaintiff's Complaint		
1/16/2025	CSH - Coversheet	1/17/2025	
NOTE:	Civil Cover Sheet		
1/16/2025	CCN - Cert Arbitration - Not Subject	1/17/2025	
NOTE:	Certificate Of Compulsory Arbitration - Is Not Subject To		
1/16/2025	SUM - Summons	1/17/2025	
NOTE:	Summons		
1/16/2025	SUM - Summons	1/17/2025	
NOTE:	Summons		

Case Calendar

There are no calendar events on file

Judgments

Date	(F)or / (A)gainst	Amount	Frequency	Type	Status
No records found.					

EXHIBIT 2

**In the Superior Court of the State of Arizona
In and For the County of Maricopa**

Clerk of the Superior Court
*** Electronically Filed ***
A. Marquez, Deputy
1/16/2025 5:08:55 PM
Filing ID 19182100

Plaintiff's Attorneys:

Sean A. Woods - Primary Attorney
Bar Number: 028930, issuing State: AZ
Law Firm: Mills + Woods Law, PLLC
5055 N. 12th St. Suite 101
Phoenix, AZ 85014
Telephone Number: (480)999-4556
Email address: swoods@millsandwoods.com

CV2025-002126

Robert T. Mills
Bar Number: 018853, issuing State: AZ
Law Firm: Mills + Woods Law, PLLC
Telephone Number: (480)999-4556

Plaintiff:

Joseph Grace

Defendants:

Jose De La Torre

Jane Doe De La Torre

Discovery Tier t2

Case Category: Tort Motor Vehicle
Case Subcategory: Non-Death/Personal Injury

EXHIBIT 3

Robert T. Mills (Arizona Bar #018853)
Sean A. Woods (Arizona Bar #028930)
MILLS + WOODS LAW, PLLC
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Phoenix, Arizona 85014
Telephone 480.999.4556
docket@millsandwoods.com
swoods@millsandwoods.com
Attorneys for Plaintiff

Attorneys for Plaintiff

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

JOSEPH GRACE, an individual,

Plaintiff,

vs.

JOSE DE LA TORRE and JANE DOE DE
LA TORRE, a married couple,

Defendants.

Case No.: CV2025-002126

PLAINTIFF'S COMPLAINT

For his Complaint against Defendants Jose De La Torre (“Defendant”) and Jane Doe De La Torre (collectively, “Defendants”), Plaintiff Joseph Grace (“Plaintiff” or “Joseph”) hereby alleges the following:

PARTIES, JURISDICTION, VENUE, AND TIER

1. Plaintiff was a resident of Maricopa County, Arizona at all relevant times.
2. Upon information and belief, Defendant is a resident of the State of California.
3. Defendant Jane Doe De La Torre (“Defendant Jane Doe”) is, upon information and belief, married to and residing with Defendant. Further upon information and belief, all actions and failures to act on the part of Defendant alleged herein were in

furtherance of the marital community consisting of him and Defendant Jane Doe, such that she is liable to Plaintiff to the same extent and degree as Defendant.

4. Jurisdiction is proper pursuant to the Arizona Constitution.

5. Venue is proper pursuant to A.R.S. § 12-401.

6. This action qualifies for Tier 2 discovery pursuant to Rule 26.2(c)(3) of the Arizona Rules of Civil Procedure.

GENERAL ALLEGATIONS

7. At approximately 9:30 a.m. on January 16, 2023, Joseph was driving his black 2018 Dodge automobile (“Joseph’s Vehicle”) northbound on Sarival Avenue in Glendale, Arizona approaching the intersection with Bethany Home Road.

8. There is no stop sign on northbound Sarival Avenue just prior to its intersection with Bethany Home Road.

9. At the same time, Defendant was driving his red 2013 Freightliner (“Defendant’s Vehicle”) eastbound on Bethany Home Road approaching the same intersection.

10. There *is* a stop sign on eastbound Bethany Home Road just prior to its intersection with Sarival Avenue.

11. After moving forward past the stop sign, Defendant's Vehicle entered the intersection travelling eastbound. At the same time, Joseph's Vehicle was in, or rapidly approaching, the intersection.

12. Defendant failed to keep a proper lookout and failed to yield to Joseph's Vehicle, and therefore collided with it ("the Collision").

13. Defendant was cited at the scene by police for failure to yield the right of way to Joseph's Vehicle.

14. As a direct and proximate result of the Collision, Joseph sustained extensive physical injuries, including to his neck, back, and shoulders, requiring medical treatment costing no less than \$98,557.50.

15. Additionally, upon information and belief, in order to fully recover from his injuries Joseph will need medical care in the future which may include surgery, the full cost of which may range from the tens of thousands to more than \$100,000.00.

16. Also as a direct and proximate result of the Collision, Joseph has been unable to fully perform his occupational duties as a horse trainer, resulting in no less than \$37,575.00 in lost wages since the Collision, or \$18,787.50 per year.

COUNT I – Negligence

17. Plaintiff incorporates all the preceding paragraphs as if fully stated herein.

18. As a fellow driver on the public highways, Defendant owed Plaintiff a duty to drive carefully so as not to subject him to unreasonable risks of harm.

19. By moving forward past a stop sign, and entering the intersection of Bethany Home Road and Sarival Avenue eastbound at the same time Joseph's Vehicle was in, or rapidly approaching, that intersection travelling northbound, Defendant failed to keep a proper lookout for, and failed to yield the right-of-way to, Joseph's Vehicle, thus breaching the duties set forth above.

20. The Collision occurred as a direct and proximate result of Defendant's breaches set forth above.

21. As a direct and proximate result of the Collision, Plaintiff has incurred damages, the full extent of which will be proven at trial.

COUNT II – Negligence Per Se

22. Plaintiff incorporates all the preceding paragraphs as if fully stated herein.

23. A.R.S. § 28-771(A), which provides that “[w]hen two vehicles enter or approach an intersection from different streets or highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right,” is a statute enacted for public safety.

24. A.R.S. § 28-773, which provides that “[t]he driver of a vehicle shall stop in obedience to a stop sign . . . and then proceed with caution yielding to vehicles that are not required to stop and that are within the intersection or are approaching so closely as to constitute an immediate hazard,” is a statute enacted for public safety.

25. A.R.S. § 28-693, which provides that “[a] person who drives a vehicle in reckless disregard for the safety of persons or property is guilty of reckless driving,” is a statute enacted for the public safety.

26. A.R.S. § 28-855(B), which provides that “[a] driver of a vehicle approaching a stop sign shall stop before entering the crosswalk on the near side of the intersection, or if there is no crosswalk, shall stop at a clearly marked stop line, or if there is no line, shall stop at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection,” is a statute enacted for public safety.

27. In moving past a stop sign to enter the intersection of Bethany Home Road and Sarival Avenue while travelling eastbound, at approximately the same time Joseph's Vehicle, without the presence of a stop sign and travelling northbound, was also in, or rapidly approaching, that intersection, Defendant violated all the statutes set forth above.

28. Defendant's violation of the statutes above directly and proximately caused the Collision, which in turn directly and proximately caused Plaintiff to incur damages, the full extent of which will be proven at trial.

JURY TRIAL DEMAND

29. Plaintiff demands a jury trial for all issues so triable.

WHEREFORE, Plaintiff prays for the following in relief:

- A. For compensatory damages;
- B. For damages for his pain and suffering;
- C. For damages from his loss of income from the time of the Collision going forward;
- D. For punitive damages to an extent necessary to punish Defendants and to deter them and others from taking similar action in the future;
- E. For pre- and post-judgment interest on the above, to the full extent authorized by law, and;
- F. For such other and further relief as the Court finds to be just and equitable under the circumstances.

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1 **RESPECTFULLY SUBMITTED** this 16th day of January 2025.

2 **MILLS + WOODS LAW, PLLC**

3
4 By /s/ Sean A. Woods
5 Robert T. Mills
6 Sean A. Woods
7 5055 North 12th Street, Suite 101
8 Phoenix, Arizona 85014
9 *Attorneys for Plaintiff*

10 **ORIGINAL** filed this 16th day of January 2025
11 via AZTurboCourt with the Clerk of the
12 Maricopa County Superior Court.

13 /s/ Ben Dangerfield

EXHIBIT 4

Person Filing: Sean A. Woods
 Address (if not protected): 5055 N. 12th St. Suite 101
 City, State, Zip Code: Phoenix, AZ 85014
 Telephone: (480)999-4556
 Email Address: swoods@millsandwoods.com
 Representing [] Self or [] Attorney for:
 Lawyer's Bar Number: 028930, Issuing State: AZ

Clerk of the Superior Court
 *** Electronically Filed ***
 A. Marquez, Deputy
 1/16/2025 5:08:55 PM
 Filing ID 19182102

**SUPERIOR COURT OF ARIZONA
 IN MARICOPA COUNTY**

Case Number: CV2025-002126

Joseph Grace
 Name of Plaintiff

SUMMONS

AND

Jose De La Torre, et al.
 Name of Defendant

WARNING: This is an official document from the court that affects your rights. Read this carefully.
 If you do not understand it, contact a lawyer for help.

FROM THE STATE OF ARIZONA TO: Jose De La Torre

Name of Defendant

1. **A lawsuit has been filed against you.** A copy of the lawsuit and other court papers are served on you with this "Summons".
2. If you do not want a judgment or order taken against you without your input, you must file an "Answer" or a "Response" in writing with the court and pay the filing fee. If you do not file an "Answer" or "Response" the other party may be given the relief requested in his/her Petition or Complaint. To file your "Answer" or "Response" take, or send, the "Answer" or "Response" to Clerk of the Superior Court, or electronically file your Answer through one of Arizona's approved electronic filing systems at <http://www.azcourts.gov/efilinginformation>. Mail a copy of your "Response" or "Answer" to the other party at the address listed on the top of this Summons. Note: If you do not file electronically you will not have electronic access to the document in this case.

3. If this "Summons" and the other court papers were served on you by a registered process server or the Sheriff, within the State of Arizona, your "Response" or "Answer" must be filed within TWENTY (20) CALENDAR DAYS from the date you were served, not counting the day you were served. If this "Summons" and the other papers were served on you by a registered process server or the Sheriff outside the State of Arizona, your Response must be filed within THIRTY (30) CALENDAR DAYS from the date you were served, not counting the day you were served. Service by a registered process server or the Sheriff is complete when made. Service by Publication is complete thirty (30) days after the date of the first publication.
4. You can get a copy of the court papers filed in this case from the Petitioner at the address at the top of this paper, or from the Clerk of the Superior Court.
5. Requests for reasonable accommodation for persons with disabilities must be made to the office of the judge or commissioner assigned to the case, at least ten (10) judicial days before your scheduled court date.
6. Requests for an interpreter for persons with limited English proficiency must be made to the office of the judge or commissioner assigned to the case at least ten (10) judicial days in advance of your scheduled court date.

SIGNED AND SEALED this Date: *January 16, 2025*

JEFF FINE
Clerk of Superior Court

By: *A. MARQUEZ*
Deputy Clerk



If you would like legal advice from a lawyer, contact Lawyer Referral Service at 602-257-4434 or <https://maricopabar.org>. Sponsored by the Maricopa County Bar Association.

Person Filing: Sean A. Woods
 Address (if not protected): 5055 N. 12th St. Suite 101
 City, State, Zip Code: Phoenix, AZ 85014
 Telephone: (480)999-4556
 Email Address: swoods@millsandwoods.com
 Representing [] Self or [] Attorney for:
 Lawyer's Bar Number: 028930, Issuing State: AZ

Clerk of the Superior Court
 *** Electronically Filed ***
 A. Marquez, Deputy
 1/16/2025 5:08:55 PM
 Filing ID 19182103

**SUPERIOR COURT OF ARIZONA
 IN MARICOPA COUNTY**

Case Number: CV2025-002126

Joseph Grace
 Name of Plaintiff

SUMMONS

AND

Jose De La Torre, et al.
 Name of Defendant

WARNING: This is an official document from the court that affects your rights. Read this carefully.
 If you do not understand it, contact a lawyer for help.

FROM THE STATE OF ARIZONA TO: Jane Doe De La Torre

Name of Defendant

1. **A lawsuit has been filed against you.** A copy of the lawsuit and other court papers are served on you with this "Summons".
2. If you do not want a judgment or order taken against you without your input, you must file an "Answer" or a "Response" in writing with the court and pay the filing fee. If you do not file an "Answer" or "Response" the other party may be given the relief requested in his/her Petition or Complaint. To file your "Answer" or "Response" take, or send, the "Answer" or "Response" to Clerk of the Superior Court, or electronically file your Answer through one of Arizona's approved electronic filing systems at <http://www.azcourts.gov/efilinginformation>. Mail a copy of your "Response" or "Answer" to the other party at the address listed on the top of this Summons. Note: If you do not file electronically you will not have electronic access to the document in this case.

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6. Requests for an interpreter for persons with limited English proficiency must be made to the office of the judge or commissioner assigned to the case at least ten (10) judicial days in advance of your scheduled court date.

SIGNED AND SEALED this Date: *January 16, 2025*

JEFF FINE
Clerk of Superior Court

By: *A. MARQUEZ*
Deputy Clerk



If you would like legal advice from a lawyer, contact Lawyer Referral Service at 602-257-4434 or <https://maricopabar.org>. Sponsored by the Maricopa County Bar Association.

EXHIBIT 5

Person/Attorney Filing: Sean A. Woods
Mailing Address: 5055 N. 12th St. Suite 101
City, State, Zip Code: Phoenix, AZ 85014
Phone Number: (480)999-4556
E-Mail Address: swoods@millsandwoods.com
[] Representing Self, Without an Attorney
(If Attorney) State Bar Number: 028930, Issuing State: AZ

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

Joseph Grace
Plaintiff(s),

Case No. CV2025-002126

v.

Jose De La Torre, et al.
Defendant(s).

**CERTIFICATE OF
COMPULSORY ARBITRATION**

I certify that I am aware of the dollar limits and any other limitations set forth by the Local Rules of Practice for the Maricopa County Superior Court, and I further certify that this case IS NOT subject to compulsory arbitration, as provided by Rules 72 through 77 of the Arizona Rules of Civil Procedure.

RESPECTFULLY SUBMITTED this January 16, 2025

By: Sean A. Woods /s/
Plaintiff/Attorney for Plaintiff

EXHIBIT 6

Office Distribution

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FILED

03/26/2025

by Superior Court Admin
on behalf of Clerk of the
Superior Court

Ct. Admin
Deputy

03/22/2025

COURT ADMINISTRATION

Case Number: CV2025-002126

Joseph Grace

v.

Jose De La Torre

The Judge assigned to this action is the Honorable Jennifer C Ryan-Touhill

NOTICE OF INTENT TO DISMISS FOR LACK OF SERVICE

You are hereby notified that the complaint filed on 01/16/2025 is subject to dismissal pursuant to Rule 4 (i) of the Arizona Rules of Civil Procedure. The deadline for completing service is 04/16/2025. If the time for completing service has not been extended by the court and no defendants have been served by this date, the case will be dismissed without prejudice.

All documents required to be filed with the court should be electronically filed through Arizona Turbo Court at www.azturbocourt.gov.

Superior Court of Maricopa County - Integrated Court Information System
Endorsee Party Listing
Case Number: CV2025-002126

Party Name	Attorney Name	
Joseph Grace	Sean Woods	Bar ID: 028930

EXHIBIT 7

1 KIRA N. BARRETT (SBN: 029778)
2 J. WILLIAM VANDEHEI (SBN: 035832)
3 **CLYDE & CO US LLP**
4 One North Central Avenue, Suite 1030
5 Phoenix, AZ 85004
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Kira.Barrett@clydeco.us
William.VanDehei@clydeco.us

6 *Attorneys for Defendants*

7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
8 **IN AND FOR THE COUNTY OF MARICOPA**

9 JOSEPH GRACE, an individual,

10 Plaintiff,

11 vs.

12 JOSE DE LA TORRE and JANE DOE DE
13 LA TORRE, a married couple,

14 Defendants.

Case No.: CV2025-002126

NOTICE OF APPEARANCE

(Assigned to Hon. Jennifer Ryan-Touhill)

15 Notice is hereby given that Kira N. Barrett, J. William VanDehei, and the law firm
16 Clyde & Co US, LLP, are appearing as counsel of record for Defendants. All future
17 pleadings, documents, and other mailings should be sent to the following:
18

Kira N. Barrett
William VanDehei
Clyde & Co US, LLP
One North Central Avenue, Suite 1030
Phoenix, AZ 85004
Kira.Barrett@clydeco.us
William.VanDehei@clydeco.us

23 Dated: April 7, 2025

24 CLYDE & CO US LLP

25 By: /s/ J. William VanDehei

26 Kira Barrett
J. William VanDehei
27 *Attorneys for Defendants*

1 ORIGINAL of the foregoing e-filed
2 and e-served via Turbo Court this
2 7th day of April, 2025, to:

3
4 Robert T. Mills
Sean A. Woods
5 **MILLS + WOODS LAW, PLLC**
5055 North 12th Street, Suite 101
6 Phoenix, Arizona 85014
7 swoods@millsandwoods.com
docket@millsandwoods.com
8 *Attorneys for Plaintiff*

9
10 By: /s/ Kimberley M. Davison

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EXHIBIT 8

Robert T. Mills (Arizona Bar #018853)
Sean A. Woods (Arizona Bar #028930)
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swoods@millsandwoods.com
Attorneys for Plaintiff

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

JOSEPH GRACE, an individual,

Plaintiff,

VS.

JOSE DE LA TORRE and JANE DOE DE
LA TORRE, a married couple,

Defendants.

Case No.: CV2025-002126

**WAIVER OF SERVICE OF
DEFENDANT JOSE DE LA TORRE**

(Assigned to the Hon. Jennifer Ryan-Touhill)

On behalf of, and as counsel for, Defendant Jose De La Torre (“my client”) in this action, I hereby acknowledge receipt of a copy of Plaintiff’s Complaint and Certificate of Compulsory Arbitration and waive the requirement for service of process of the above documents and a Summons. I retain all defenses to this action except for those based on a defect in the summons or in its service. I understand that a judgment may be entered against my client if an answer or motion under Rule 12 is not served within sixty (60) days of April 7, 2025, the date of execution of this Waiver.


William VanDehef

William VanDehei

1 **RESPECTFULLY SUBMITTED** this 7th day of April 2025.

2 **MILLS + WOODS LAW, PLLC**

3
4 By /s/ Sean A. Woods
5 *Attorney for Plaintiff*

6
7 **ORIGINAL** filed this 7th day of April 2025
8 via AZTurboCourt with the Clerk of the
9 Maricopa County Superior Court.

10 **COPIES** served this 7th day of April 2025

11 via email to:

12 Kira Barrett

13 William VanDehei

14 Kira.Barrett@clydeco.us

15 William.VanDehei@clydeco.us

16 Holly.Hommel@clydeco.us

17 Kimberley.Davison@clydeco.us

18 **CLYDE & CO US LLP**

19 1 N Central Ave., Ste. 1030

20 Phoenix, AZ 85004

21 (480) 746-4572

22 *Attorneys for Defendants*

23 _____
24 */s/ Ben Dangerfield*
25 _____

Robert T. Mills (Arizona Bar #018853)
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swoods@millsandwoods.com
Attorneys for Plaintiff

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

JOSEPH GRACE, an individual,

Plaintiff,

VS.

JOSE DE LA TORRE and JANE DOE DE
LA TORRE, a married couple,

Defendants.

Case No.: CV2025-002126

**WAIVER OF SERVICE OF
DEFENDANT JANE DOE DE LA
TORRE**

(Assigned to the Hon. Jennifer Ryan-Touhill)

On behalf of, and as counsel for, Defendant Jane Doe De La Torre (“my client”) in this action, I hereby acknowledge receipt of a copy of Plaintiff’s Complaint and Certificate of Compulsory Arbitration and waive the requirement for service of process of the above documents and a Summons. I retain all defenses to this action except for those based on a defect in the summons or in its service. I understand that a judgment may be entered against my client if an answer or motion under Rule 12 is not served within sixty (60) days of April 7, 2025, the date of execution of this Waiver.


William VanDehei

William VanDehei

1 **RESPECTFULLY SUBMITTED** this 7th day of April 2025.

2 **MILLS + WOODS LAW, PLLC**

3
4 By /s/ Sean A. Woods
5 *Attorney for Plaintiff*

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9 Maricopa County Superior Court.

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12 Kira Barrett
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16 Holly.Hommel@clydeco.us
17 Kimberley.Davison@clydeco.us
18 **CLYDE & CO US LLP**
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20 Phoenix, AZ 85004
21 (480) 746-4572
22 *Attorneys for Defendants*

23 _____
24 */s/ Ben Dangerfield*
25
26
27
28